

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JAMES DEFERIO,

Plaintiff,

v.

NOTICE OF MOTION
Civil Action No.: 5:16-CV-0361
(LEK/TWD)

CITY OF SYRACUSE; FRANK FOWLER,
In his official capacity as Chief of Police for
the City of Syracuse Police Department, **JOSEPH**
SWEENEY, individually and in his official
Capacity as Captain for the City of Syracuse
Police Department, and **JAMEY LOCASTRO**,
individually and in his official capacity as Sergeant
for the City of Syracuse Police Department,

Defendants.

Motion By:

Joseph E. Fahey, Esq.
Corporation Counsel

By: Todd M. Long, Esq.
Assistant Corporation Counsel
Federal Bar Roll No.: 519301

Time and Place of Hearing:

August 4, 2017, at 9:30 a.m. before Senior
Judge Lawrence E. Kahn to be held at the
United States District Courthouse in Albany,
New York, on submission only.

Relief and Basis:

An Order pursuant to F.R.C.P. 56 granting
summary judgment dismissing Plaintiff's
complaint against Defendants in its entirety,
with prejudice, and for such other and further
relief as the Court deems just and proper.

Supporting Papers:

Declaration of Todd M. Long, Esq. with
attached Exhibits "A-NN" (with exhibits
pending court approval), Statement of
Material Facts Not in Dispute, and
Memorandum of Law

Dated: June 30, 2017

Joseph E. Fahey, Esq.
Corporation Counsel

s/
By: Todd M. Long, Esq.
Assistant Corporation Counsel
Bar Roll No. 519301
Attorney for Defendants
300 City Hall
Syracuse, New York 13202
Email: tlong@syrgov.net

To: Nathan W. Kellum
Center for Religious Expression
699 Oakleaf Office Lane, Suite 107
Memphis, TN 38117
Email: nkellum@crelaw.org

Mark A. Mangini
Center for Religious Expression
699 Oakleaf Office Lane, Suite 107
Memphis, TN 38117
Email: mmangini@crelaw.org
PRO HAC VICE

Robert E. Genant
Office of Robert E. Genant
P.O. Box 480
3306 Main Street, Suite B
Mexico, NY 13114
Email: bgenant@genantlaw.com